

# Kentucky Board of Dentistry

Minutes of Board Meeting

May 14, 2016

The meeting was called to order by Dr. Robert Zena at 9:00 a.m.

## Roll Call

Members Present: Dr. Robert Zena, Dr. Lucas Bowen, Dr. James Hargan, Dr. Sid Brantley, Dr. Jason Ford, Tonya Socha-Mower, Yvonne Bach, Dr. Byron Owens and Mary Ann Burch.

Ex-Officio Members Present: Tim Daugherty (University of Louisville), Dr. Deborah Ray (University of Kentucky) and Dr. Julie McKee (Department of Public Health).

Also Present: David Beyer, Executive Director and Cindy Effinger (Board Legal Counsel) and Crystal Brown, KBD Staff.

Board Members absent: Dr. Adam Rich

Quorum Present

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The minutes of the March Board meeting were reviewed.

**Motion:** Amend date from May to March recorded on the copy of March minutes.

Motion made by Mary Ann Burch, seconded by Yvonne Bach, Vote Unanimous

**Motion Carried**

A discussion was held regarding the Licensing Task Force Report. Dr. Sid Brantley stated that ideally there should be a mentoring program to assist graduates. Dr. Robert Zena suggested the universities and the KDA be the entities to pursue any mentoring programs. Dr. Timothy Daugherty stated that the University of Louisville has already started a mentor program. Dr. Sid Brantley also stated that the California Portfolio for Licensure is the model that should be followed and accepted for Licensure.

**Motion:** To follow and accept the California Portfolio Pathway to Licensure

Motion made by Dr. Sid Brantley, seconded by Dr. James Hargan, Vote Unanimous

**Motion Carried**

Also the regulations 201 KAR 8:532, Section 2 (2) needs to be amended to include that Board will accept The California Portfolio Pathway to Licensure model.

**Motion:** To Amend 201 KAR 8:532, Section 2 (2) to include revised phrase: "...shall successfully complete a clinical examination or the California Portfolio Pathway to Licensure (CPPL) or not less than the equivalent to (CPPL), within the 5 years preceding the filing of his application."

Motion made by Dr. James Hargan, seconded by Dr. Lucas Bowen, Vote Unanimous

***Motion Carried***

A discussion was held regarding writing a letter to the testing agencies to encourage alternatives to live patient examinations.

***Motion:*** Write letter to the testing agencies encouraging the acceptance of The California Portfolio Pathway to Licensure and to develop alternatives to live patient examinations.

Motion made by Dr. Sid Brantley, seconded by Dr. James Hargan, Vote Unanimous

***Motion Carried***

The letter to the testing agencies should read as follows:

***Motion:*** The Kentucky Board of Dentistry encourages testing agencies whose exams are currently accepted for licensure in Kentucky to develop alternatives for evaluation for fitness for licensure which will move away from the traditional, stand-alone, live patient exam utilized currently for regional examination and toward alternatives, such as the third party administered and evaluated Curriculum Integrated Format (CIF), the California Portfolio Pathway to Licensure which instead utilize patients of record seen in a more standard sequence of diagnosis and treatment planning, prioritized problem list model of patient care.

While we continue to accept the results of the traditional exam for the foreseeable future, the Kentucky Board of Dentistry share the concerns regarding potential pitfalls of this stand-alone, live patient exam, as articulated by the ADA, the ASDA and other organizations.

Motion made by Dr. Sid Brantley, seconded by Dr. James Hargan, Vote Unanimous

***Motion Carried***

***Motion:*** Our approach to testing also enhances the pathway to portability. This common sense position may be adopted by other Boards to create a core of States that expedite licensure. Finally, we respect the testing agencies and the daunting task which has been historically relegated upon them. However, if agencies voluntarily eliminate the live patient portion of the traditional exam it would have positive ramifications toward portability and public safety, as well as easing the ability for candidates to test outside their school of graduation. This change is encouraged to come from within the various testing agencies, independent of intervention by outside entities.

Motion made by Dr. Robert Zena, seconded by Yvonne Bach, Vote Unanimous

***Motion Carried***

***Motion:*** In the spirit of the above, the Kentucky Board of Dentistry voted at its May 2016 meeting to accept the California Portfolio Pathway to Licensure (CPPL) or not less than the equivalent to CPPL for initial licensing in Kentucky.

Motion made by Dr. James Hargan, seconded by Dr. Sid Brantley, Vote Unanimous

***Motion Carried***

A discussion was held regarding being more involved in the AADB meetings.

**Motion:** To allow members to attend the AADB meetings twice per year.

Motion made by Dr. Robert Zena, seconded Mary Ann Burch

*Vote opposed by Dr. James Hargan*

**Motion Carried**

A discussion was held regarding CLEAR training for Board Members, which usually is attended by investigators.

**Motion:** To omit CLEAR training for Board Members

Motion made by Dr. Byron Owens, seconded by Yvonne Bach

*Dr. James Hargan abstained from voting*

**Motion Carried**

A discussion was held by Dr. Lucas Bowen regarding the Public Hygienist Protocol Committee report. The committee met on April 27, 2016, to review the current Public Health Hygienist regulation. No changes to the current regulation were recommended. The current protocol set forth in the manual entitled Kentucky Public Health Preventive Dental Hygiene Program contained language in Section XII that the Committee recommended be revised.

**Motion:** To approve changes to remove/add language in the Kentucky Public Health Preventive Dental Hygiene Program Manual, Section XII as follows:

Remove (a) Known allergy to dental sealant; Add (b) Changes in color, contour and/or consistency

Motion made by Dr. Lucas Bowen, seconded by Dr. Sid Brantley, Vote Unanimous

**Motion Carried**

Dr. Larry Cunningham, University of Kentucky approached the Board regarding Dr. Enif Dominguez needing a Specialty License to be approved by Medicaid so that the school can be reimbursed for the oral surgery she performs at the University of Kentucky with her Faculty Limited License. Medicaid will not reimburse the school because she is not recognized as an oral surgeon in the State of Kentucky.

**Motion:** To grant Specialty License to Dr. Dominguez to perform oral surgery at the University of Kentucky.

Motion made by Dr. James Hargan, seconded by Dr. Jason Ford

Voted For: Dr. Sid Brantley, Dr. Jason Ford, Dr. James Hargan and Dr. Byron Owens

*Opposed by: Dr. Robert Zena, Tonia Socha-Mower, Mary Ann Burch, and Yvonne Bach.*

Dr. Lucas Bowen abstained from voting

**Motion Not Carried**

**Motion:** To seek legal counsel clarification of whether a Specialty License can be granted for a person holding a Faculty Limited License and present the findings at the July Board Meeting.  
Motion made by Dr. Byron Owens, seconded by Yvonne Bach  
Voted For: Dr. Sid Brantley, Dr. Robert Zena, Tonya Socha-Mower, Mary Ann Burch, Dr. Lucas Bowen, Yvonne Bach and Dr. Byron Owens  
*Opposed by: Dr. James Hargan and Dr. Jason Ford*  
**Motion Carried**

**Director's Report - David Beyer, Executive Director**

A discussion was held regarding clarification of Board Members seat terms expiring. Dr. James Hargan's term is set to expire on June 30, 2016; three names have been given to the Governor. Citizen Representative, Yvonne Bach's term is set to expire June 30, 2016. The Governor may reappoint her or select another citizen-at-large representative. Dr. Sid Brantley seat is not expiring until June 30, 2017.

A discussion was held regarding personnel changes at the Kentucky Board of Dentistry.

An update was provided concerning the CE tool. ED Beyer met with John Stamper who is trying to interface the CE tool with our online renewal system. Legal Counsel Cecil Dunn opined that we may not be able to preclude renewals for those not utilizing the CE tool. It was suggested that we may be required to make regulation changes.

The LEC met on May 13, 2016. Two cases may result in formal charges. Following the formal charges, the cases may be referred for mediation which could avert a formal hearing before the board.

ED Beyer advised that the Kentucky Dental Practice Act requires the Board to elect new Board officers at the July Board meeting. Thereafter, the following nominations were made:

**Motion:** Dr. Sid Brantley was nominated and accepted consideration for President.

Motion made by Dr. Byron Owens, seconded by Mary Ann Burch.

**Motion:** Dr. Jason Ford was nominated and accepted consideration for Vice President for a 2<sup>nd</sup> term.

Motion made by Dr. Sid Brantley, seconded by Dr. Robert Zena.

**Motion:** Dr. Lucas Bowen was nominated and accepted consideration for Secretary/Treasurer.

Motion made by Dr. Robert Zena, seconded by Dr. Byron Owens.

Tonya Socha-Mower was nominated but declined consideration for Secretary/Treasurer.

Board meeting adjourned at 1:20pm

APPROVED:

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Robert Zena, D.M.D.  
President

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Jason E. Ford, D.M.D.  
Vice President